

CALIFORNIA HORSE RACING BOARD

1010 HURLEY WAY, SUITE 300

SACRAMENTO, CA 95825

**REPORT OF THE BOARD OF STEWARDS****LOS ANGELES TURF CLUB, INC.****Santa Anita Park****To the California Horse Racing Board**

Honorable Arnold Schwarzenegger, Governor

Honorable John C Harris, Vice Chairman

Honorable John Andreini, Member

Honorable Jesse H. Choper, Member

Honorable Bo Derek, Member

Honorable David Israel, Member

Honorable Jerry Moss, Member

Kirk E. Breed, Executive Director

Richard "Bon" Smith, Assistant Executive Director

For the period: Thursday, January 22, 2009, through Sunday, January 25, 2009.

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THURSDAY01/22/09¹**CAL-BRED REPORT**

Today's eighth race is for California-Bred three year old maiden fillies, claiming price \$40,000, at five and one-half furlongs on the Pro-ride main track. Eleven are scheduled to face the starter.

01/22/09²**NAKATANI OFF MOUNTS**

Jockey Corey Nakatani was excused from his mounts today for personal reasons.

01/22/09³**JOCKEY GETS T.R.O.**

Jockey Corey Nakatani received a temporary restraining order from the Los Angeles Superior Court for a three day riding suspension issued on 1/16/09. Mr. Nakatani will be permitted to ride his scheduled mounts until his appeal is heard.

01/22/09⁴**JOCKEYS REVIEW FILMS**

Jockey Joel Rosario was in as requested by the Stewards to discuss his objection in Monday's seventh race. The Stewards pointed out that Mr. Rosario was primarily responsible for driving up into a spot where he didn't belong. The rider felt that he had been interfered with by the horse to his outside, but after this review he saw the error of his action. Mr. Rosario said he would be more careful in the future.

Also in was Chantal Sutherland, to review film from Friday's fourth race. Her mount drifted out through the stretch under left handed whipping while crossing the wire first. Ms. Sutherland offered the explanation that the horse was having trouble switching leads; however the Stewards thought this was a weak excuse and advised her to make a better effort to keep her mounts straight in future.

01/22/09⁵**KAZANJIAN HEARING**

The Stewards held an informal hearing to address case #09SA001, which is a financial complaint regarding Mr. Gary John Kazanjian's debt of \$3,365 to trainer Jorge Periban for training services. Investigator Guy Burgeois informed the Stewards that Mr. Kazanjian would have a check for the full amount to Mr. Periban, who was in attendance, in the coming week. The case is on hold pending the status of said check.

01/22/09⁶**DECLARATIONS, CHANGES AND REFUNDS**

3rd Race #7 Timely Princess (Tr. G. Lewis) jockey R. Saldana replaced A. Gryder (no-show)
 #9 Dame Camille (Tr. L. Powell) veterinarian, sick – Dr. Bailey
 Refund \$118.40

4th Race #3 Hard Woman (Tr. E. Moger, Jr.) jockey M.C. Baze replaced C. Nakatani (excused)
 #6 Brought It – Claimed, Tr. R. Cardenas

6th Race #3 Cypress Lady (Tr. M. Mitchell) jockey M.C. Baze replaced C. Nakatani

01/22/09⁷**DAILY ATTENDANCE & HANDLE**

On track	3,029	987,147.00
Inter-track	5,750	1,685,131.70
Out of state	n/a	3,150,200.52
Total	8,779	\$5,822,479.22

FRIDAY01/23/09¹**CAL-BRED REPORT**

Today's California-Bred race will go as the fifth race, a one mile turf affair for four year olds and upward which have never won \$10,000 other than maiden, claiming or starter; or which have never won two races; or \$25,000 claiming.

01/23/09²**MATA HEARING**

Case #09SA0020 alleged groom Javier Mata hit a horse on the head with a rake, injuring the horse's eye and nose. Investigator Rick Amieva presented the case for the CHRB, entered documentary evidence and read the charges. Present were the Board of Stewards – Tom Ward, Scott Chaney, and Randy Winick. Assistant Steward Luis Jauregui acted as interpreter for the defendant and Investigator Guy Bourgeois also attended. Mr. Mata pled guilty to the charges and apologized for his actions. He claimed the horse had tried to bite him. After all testimony was heard, the Stewards closed the hearing and a decision will be forthcoming.

01/23/09³**CAPESTRO HEARING**

Trainer Paula Capestro appeared in an informal setting to answer her complaint concerning a first time gelding entry, case #09SA016. Ms. Capestro stated that she changed the sex of her horse online with The Jockey Club and entered the horse as a gelding, which the program confirms. Additionally, an announcement was made to the public advising the first time gelding. All of these facts are mitigating in her defense. However, Ms. Capestro failed to notify the Horse Identifier or the Clerk of the Course, which precluded the "first time gelding" notice from being printed in the program. The stewards will deliberate on this case before reaching a decision.

01/23/09⁴**SIGNAL BLACKOUT CONTINUES**

As of Thursday, simulcast signals from Santa Anita and Golden Gate remained blacked out to Churchill Downs Inc. owned locations in Kentucky, Louisiana, and Illinois. The blackout began Monday when the Thoroughbred Owners of California rescinded its approval for the distribution of the signal to the sites. The owners group acted due to dissatisfaction with an agreement between the tracks and TrackNet, a simulcast marketing company co-owned by CDI. This agreement determines the amount of money received by CDI's account wagering platform, Twinspires.com, on bets made by California residents. Drew Couto, Executive Director of the TOC, said Thursday that he was "cautiously optimistic" that both sides would reach an agreement soon.

01/23/09⁵**SAATI RULING**

The following ruling was issued after Mr. Saati failed to appear as ordered.

LATS #017

Pari-mutuel employee JEAN SAATI, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule #1489 (a) (Grounds for Refusal or Denial of License), is suspended pursuant to California Horse Racing Board rule #1547 (Failure to Appear). During the term of suspension, all licenses and license privileges of Jean Saati are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mr. Saati is denied access to all premises in this jurisdiction.

01/23/09⁶**BANKS RULING**

This ruling was issued as a result of Mr. Banks' failure to appear for a hearing.

LATS #018

Maintenance employee KEVIN TYRONE BANKS, having failed to appear before the Board of Stewards to answer a complaint alleging violation of California Horse Racing Board rule #1489 (Grounds for Refusal or Denial of License), is suspended pursuant to California Horse Racing Board rule #1547 (Failure to Appear). During the term of suspension, all licenses and license privileges of Kevin T. Banks are suspended and pursuant to California Horse Racing Board rule #1528 (Jurisdiction of Stewards to Suspend or Fine), Mr. Banks is denied access to all premises in this jurisdiction.

01/23/09⁷**AFTERNOON RACING**

Today's racing was conducted without incident; however the turf races were run on the Pro-ride surface due to weather.

01/23/09⁸**DECLARATIONS, CHANGES AND REFUNDS**

- 2nd Race #3 Tap Tap I Win (Tr. C. Sise, Jr.) G. Gomez replaced D. Sorensen (no-show)
- 3rd Race #2 Raikkonen (Tr. M. Machowsky) off turf, stewards
#6 Derive (Tr. R. Mandella) off turf, stewards
#7 Dohnster (Tr. A. McKaughan) off turf, stewards
Refund \$3,134.90
- 4th Race #2 Gobbler's Knob (Tr. T.H. Blincoe) veterinarian, injured – Dr. Bailey
#4 No Pun Intended (Tr. M. Mollica) veterinarian, unsound – Dr. Durenberger
Refund \$1,072.90
- 5th Race #9 One On the House (Tr. R. Ellis) off turf, stewards
Refund \$2,482.38
- 6th Race #6 One Shot (ARG) – Claimed, Tr. A.C. Avila
- 7th Race #8 Preemo (Tr. J. Sahadi) off turf, stewards
Refund \$2,163.58
- 8th Race #8 Dixie Lucky – Claimed, Tr. P. Miller

01/23/09⁹**DAILY ATTENDANCE & HANDLE**

On track	4,148	1,062,188.60
Inter-track	5,189	1,628,459.80
Out of state	n/a	3,950,553.73
Total	9,337	\$6,641,202.13

SATURDAY01/24/09¹**CAL-BRED REPORT**

Today's first race is for California-Bred maidens, four years old and upward, at a distance of six and one half furlongs. Seven contestants are scheduled to go postward.

01/24/09²**SUNSHINE MILLIONS DAY**

A bi-coastal stakes program exclusively for California and Florida-bred thoroughbreds, the Sunshine Millions was contested for the seventh time today. Local station K-Cal 9 offered television coverage of the event.

01/24/09³**FILM REVIEW**

Jockey Jesus Rios was in with his agent Tony Matos to review Friday's eighth race. Mr. Rios' mount drifted inward approaching the three-eighths pole and bumped slightly with the horse to his inside. It was not a significant incident but Mr. Rios was instructed to be more careful in maintaining a straight course while being aware that horses tend to lean inward when switching leads.

01/24/09⁴**SORENSEN RULING**

Jockey Danny Sorenson was issued the following ruling after visiting with the Stewards to discuss his absence from his scheduled mount on Friday. Mr. Sorenson stated he thought his horse was scratched. He admitted he was at fault, and understands it is his responsibility to check with the racing office for official scratches.

LATS #019

Jockey **DANIEL SORENSON** is fined ONE HUNDRED DOLLARS (\$100.00)* for violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement) on January 23, 2009 at Santa Anita Park.

01/24/09⁵**SUNSHINE MILLIONS RESULTS**

California and Florida shared victories evenly in the four Sunshine Millions races conducted at Santa Anita. Local trainers Jack Carava and Kathy Walsh sent out the Cal-Bred winners, and the Florida-Breds were trained by David Vivian and Todd Pletcher.

01/24/09⁶**STEWARDS INQUIRY - DISQUALIFICATION**

Immediately after the finish of the tenth race, the stewards posted the inquiry sign to review an incident going into the first turn of the one mile race. #4 "Commandeered" (2nd G. Gomez) was leading and came over on #3 "Temple City" (4th R. Bejarano) to his inside, without sufficient clearance, making contact and causing that horse to stumble severely. Jockey Bejarano took up sharply and regained his footing, but caused several horses trailing him to be compromised. After reviewing the tapes and talking to both jockeys and patrol judges, the Stewards unanimously voted to disqualify #4 for interference going into the first turn which cost #3 the opportunity for a better placing, and place him seventh, behind #2 "Premium Quality" (C. Nakatani), who was also affected by this action.

Original order of finish: 5 - (4) - 6 - 3 - 10 - 9 - 2 - 7

Official order of finish: 5 - 6 - 3 - 10 - 9 - 2 - (4) - 7

01/24/09⁷**DECLARATIONS, CHANGES AND REFUNDS**

2 nd Race	#1 New Export (Tr. R. Frankel) off turf, stewards
	#2 Like a Tiger (Tr. J. F. Martin) off turf, stewards
	#3 Soupy (Tr. J. Sadler) off turf, stewards
	#8 Parko (Tr. J. C. Canani) jockey T. Baze replaced C. Nakatani (alternate rider)
	Refund \$1,790.00
3 rd Race	#6 Holiday Dixie – Claimed, Tr. P. Aguirre
4 th Race	#2 Mi Rey – Claimed, Tr. D. O'Neill
	#4 Rogue Scholar – Claimed, Tr. J. Carava
	#5 Make Mine Vodka – Claimed, Tr. A.C. Avila
6 th Race	#9 Pistol Pete Afleet (Tr. J. Periban) stake, stewards
	Refund \$1,876.10

- 8th Race #1 Big Bad Leroybrown (Tr. D. Warren) stake, stewards
 #8 Devoted Magic (Tr. J. Hollendorfer) stake, stewards
 Refund \$2,985.30
- 9th Race #2 Briecat (Tr. V. Cerin) stake, stewards
 #6 Spenditallbaby (Tr. B. Abrams) pulled up 3/8 pole, vanned off
 Refund \$6,180.90
- 10th Race #1 In the Woods (Tr. R. Frankel) veterinarian, sick –Dr.
 Durenberger
 #11 Cause (Tr. M.K. Cho) entered back, stewards
 Refund \$4,619.70
- 11th Race #5 General Consensus (Tr. P. Gallagher) track condition,
 stewards
 #8 Cassablanca (Tr. J. Lloyd) off turf, stewards
 #9 Wondrous Event (Tr. J. Carava) off turf, stewards
 #11 Restless Soul (Tr. B. Cecil) off turf, stewards
 Refund \$22,244.32

01/24/09⁸**DAILY ATTENDANCE & HANDLE**

On track	22,155	2,987,45.90
Inter-track	10,274	3,434,781.80
Out of state	n/a	7,925,766.04
Total	32,429	\$14,347,973.74

SUNDAY01/25/09¹**CAL-BRED REPORT**

The fourth race today is for California-Bred four year olds and upward which have never won a race other than maiden, claiming or starter, or have never won two races; or \$25,000 claiming. Ten horses will contest the 6 ½ furlongs on Pro-ride.

01/25/09²**FILM REVIEW**

Jockeys Rafael Bejarano and Garrett Gomez were in separately to review an incident going into the first turn of Saturday's tenth race which resulted in a disqualification. Rider Bejarano felt he was up in the hole and entitled to his space on the inside rail, while hollering to Gomez to announce his presence. Gomez thought he was clear to come over and that he looked while pulling off, also noting that Bejarano should not have been in the spot he was in. The stewards will consider all testimony and determine if a suspension is warranted.

Regarding a separate matter in the same race, jockey Bejarano was cautioned to be more cognizant of his whereabouts when allowing his horse to drift in several paths down the stretch, which was very unnecessary.

01/25/09³ GOMEZ RULING (ref. 01/25/09²)

The following ruling was issued to jockey Garrett Gomez for allowing his horse to come over in the first turn without sufficient clearance, causing interference in the tenth race Saturday.

LATS #021

Jockey **GARRETT GOMEZ**, who rode Commandeered in the tenth race at Santa Anita Park on January 24, 2009, is suspended for THREE (3) racing days (February 1, 4 and 5, 2009) for crossing over without sufficient clearance and causing interference entering the clubhouse turn, which resulted in the disqualification of his mount from second to seventh. This constitutes a violation of Horse Racing Board rule #1699 (Riding Rules – Careless Riding). Terms of suspension shall not prohibit participation in designated races.

01/25/09⁴ GRYDER RULING

Jockey Aaron Gryder was in to see the Stewards to explain his absence from Thursday's third race. It was a case of miscommunication with his agent, but ultimately the rider's responsibility. The following ruling was issued:

LATS #020

Jockey **AARON GRYDER** is fined ONE HUNDRED DOLLARS (\$100.00)* for violation of California Horse Racing Board rule #1872 (Failure to Fulfill Jockey Agreement) on January 22, 2009 at Santa Anita Park.

01/25/09⁵ CAPESTRO RULING (ref. 01/23/09³)

This ruling was issued to Paula Capestro after deliberation of testimony heard in the hearing of case #09SA0016. Mitigating circumstances in her favor affected the amount of this sanction; however there was also culpability on the trainer's part in neglecting to notify the Horse Identifier and Clerk of the Course in this matter.

LATS #022

Trainer **PAULA CAPESTRO** is fined SEVEN HUNDRED FIFTY DOLLARS (\$750.00)* for failure to properly report the gelding of the horse STORMS OF LIFE, which ran in the fourth race on January 10, 2009. This constitutes a violation of California Horse Racing Board rule #1865 (Altering of Sex of Horse).

01/25/09⁶ BERNSTEIN HEARING

Trainer David Bernstein was in to explain his Phenylbutazone overage for a horse working for removal from the Veterinarian's List at Santa Anita. Mr. Bernstein stated that an oversight by his assistant caused the horse to be fed the medication late in the day before the work. The Stewards issued a warning to Mr. Bernstein, due to his sterling medication compliance record as a trainer.

01/25/09⁷ DECLARATIONS, CHANGES AND REFUNDS

3 rd Race	#2 Machismo (Tr. J. Sadler) stake, stewards Refund \$2,019.50
4 th Race	#1 It's In God's Hands (Tr. P. Miller) off turf, stewards #11 Swift Demand (Tr. J. Sadler) off turf, stewards Refund \$3,932.10
5 th Race	#1 Water (Tr. J. Alcalá) veterinarian, unsound – Dr. Bailey Refund \$2,197.10

6th Race #1 Complexity (Tr. W. R. Caldwell) off turf, stewards
 #12 Rock the Rock (Tr. R. McNally) off turf, stewards
 Refund \$3,180.90

7th Race #4 Khun Dan – Claimed, Tr. R. Cardenas
 #12 Magic Mike (Tr. J. Periban) also eligible, stewards
 Refund \$1,403.20

8th Race #2 Dawn After Dawn (Tr. J. Sadler) stake, stewards
 #12 Bahama Mama (Tr. J. Cassidy) stake, stewards
 #14 Magic Fantasy (Tr. P. Gallagher) stake, stewards
 Refund \$6,678.21

01/26/09⁸**DAILY ATTENDANCE & HANDLE**

On track	7,521	2,035,716.10
Inter-track	8,225	2,421,553.40
Out of state	n/a	5,226,698.26
Total	15,746	\$9,683,967.76

WEEKLY SUMMARY

ATTENDANCE REPORT - The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN'S LIST**Week of 01/19/09 - 01/25/09**

Horses on Vet List	14
Horses off Vet List	14
Shock Wave Therapy	21
Deceased	2
Medication	5

SUMMARY

		Thurs. 01/22	Fri. 01/23	Sat. 01/24	Sun. 01/25	Week	Meet
Accidents		0	0	0	0	0	2
Cal-Bred Races		1	1	1	1	4	21
Claims		2	2	6	1	11	53
Disqualifications		0	0	1	0	1	1
Inquiries		0	0	1	0	1	11
Refunds		1	4	6	6	17	86
Rulings		0	2	1	3	6	22

Respectfully submitted,

Randy Winick, Steward

Tom Ward, Steward

C. Scott Chaney, Steward

BOS:RW/dm